

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	Case No. 3:24-cr-103
	:	
v.	:	Judge Thomas M. Rose
	:	
DAVID A. SNELL,	:	
	:	
Defendant.	:	
	:	
	:	

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**ENTRY AND ORDER GRANTING UNITED STATES MOTION TO VACATE  
SUPPRESSION HEARING (DOC. NO. 33) AND SETTING BRIEFING  
SCHEDULE FOR DEFENDANT’S MOTION TO SUPPRESS (DOC. NO. 28)**

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This matter is before the Court on the United States’ Motion to Vacate Suppression Hearing (“Motion”) (Doc. No. 33). On February 21, 2025, Defendant David A. Snell (“Snell”) filed his Motion to Suppress and Memorandum in Support (“Motion to Suppress”) (Doc. No. 28), seeking the suppression of information that law enforcement gathered by administrative subpoena in the course of investigating Snell for crimes related to child exploitation. The Court understands that, following an in-chambers conference with the Court and counsel for the Parties (*see* Minute Entry, Mar. 24, 2025), Snell and the Government agree that Snell’s Motion to Suppress presents purely legal issues and no evidentiary hearing on the Motion to Suppress is necessary. The Government has thus submitted the instant Motion to forego a suppression hearing and proceed with briefing. (Doc. No. 33 at PageID 131.)

The Court ultimately grants the Government’s Motion. When considering a motion to suppress evidence in a criminal matter, “a defendant is not entitled to an evidentiary hearing if his

argument is ‘entirely legal in nature.’” *United States v. Ickes*, 922 F.3d 708, 710 (6th Cir. 2019) (quoting *United States v. Abboud*, 438 F.3d 554, 577 (6th Cir. 2006)). Here, the Parties have agreed that Snell’s Motion to Suppress presents arguments that are entirely legal in nature, and, the Court finds the same. Therefore, the Court hereby **GRANTS** the United States’ Motion to Vacate Suppression Hearing (Doc. No. 33) and **VACATES** the suppression hearing in this case, currently scheduled for June 17, 2025.

Additionally, the Court hereby provides the Parties a briefing schedule regarding Snell’s Motion to Suppress. Specifically: Snell shall file his memorandum in support of his Motion to Suppress, or his supplemental arguments thereto, on or before **Wednesday, May 7, 2025**; The Government shall file its opposition to Snell’s Motion to Suppress, even if only supplemental to the instant Motion, on or before **Tuesday, May 27, 2025**; and, Snell shall submit his reply, if any, to the Government’s opposition on or before **Friday, June 6, 2025**.

**DONE and ORDERED** in Dayton, Ohio, this Thursday, April 17, 2025.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE